

to their home in America with those parents all due to China's refusal to let Americans into the country to complete adoptions.

In February of 2020, China closed its border due to the spread of COVID. This meant that parents who had already been matched with a child in China could not proceed with their adoption. Of course, parents must physically be present in China to continue the adoption process and bring it to finality in order to get their child home.

What was said to be a temporary emergency precaution because of COVID has now stretched into years despite the availability of vaccines. Due to China's unwillingness to open its borders to these parents, adoptions have been stalled for now 2 years.

Some parents have been prohibited from even communicating with their children during this time. The Bryans from Iowa are unable to receive updated health information about their daughter and are unable to send letters or care packages. She might not even know that they have been trying for years to bring Rosie into their family.

Now, other countries that participate in international adoptions have found ways to continue the process, even in light of COVID. Even countries with travel restrictions on other groups have made exceptions for adoptive families. Parents want to cooperate. Parents are willing to quarantine. Parents are willing to be tested. Parents will take every precaution asked of them by China.

Now, what is so odd about all the parents who want to adopt not being allowed into China—we know that China has opened the country to athletes participating in the Olympics, those wishing to do business there, and to American journalists, but why not to adopting parents? Tourist visas are still not being issued, and adoptive parents are being classified as tourists despite specific reasons for their visit.

It is imperative that the Biden administration work to get adoptions from China moving again. These families have been waiting long enough. The kids whom they are working to adopt have been waiting even longer.

I get a chance to hear from kids in foster care in the United States through my role as chairman of the Senate Caucus on Foster Youth. I always hear the same message from these young people: They want a mom and dad. They want a loving place to call home. Kids in China are no different. They deserve a family and safety and the security of loving parents.

I pray that the hearts of Chinese leaders are softened enough to allow these families into the country and allow these kids to come home to America.

FILIBUSTER

Now on another subject, the subject of this week in the U.S. Senate about whether the 60-vote requirement to move legislation ahead should be done

away with—that is the purpose of coming to the Senate for these remarks.

Senate procedure is complex enough that talking about it often trips up even Senators who have been around here for several years. Reporters writing about the so-called filibuster often look to past reporting to get their bearings. In doing so, they perpetuate a conventional wisdom that is false or even misleading.

It is common around here to refer to the cloture motion as the Senate filibuster. Now, I want all my colleagues to know that I am guilty of doing this sort of shorthand all the time, and I tell myself I ought to not be making the same mistake.

According to the nonpartisan Congressional Research Service:

Filibustering includes any use of dilatory or obstructive tactics to block a measure by preventing it from coming to a vote.

The cloture motion is not the same thing as a filibuster, as the Congressional Research Service will also confirm. The cloture motion requires 60 votes to bring consideration of legislation to finality. That means not just debate but, crucially, the amendment process.

Of course, I want to repeat that. The effect of invoking cloture is to say that the Senate has considered the bill enough, meaning a sufficient number of amendments have been considered that the Senate has a chance to work its collective will.

The Senate was designed by the constitutional Framers to be a deliberative body. In the House, a narrow majority can pass hastily drafted, poorly conceived legislation.

As political parties have become more ideologically polarized, power to shape legislation has accrued to the House leadership. Individual Members of the House of Representatives have essentially no opportunity to get a vote on bills or amendments unless blessed by the Speaker of the House, Republican or Democrat.

The House Rules Committee, filled with partisans loyal to the Speaker, will draft a very special rule for considering a specific bill, and that is possible to detail the number of amendments, if any, allowed to be offered. Members of the majority party in the House are expected to vote for their party's rule, no matter what.

The Senate is supposed to be different. It is kind of like what we call the cooling saucer, making sure each provision in legislation is thought through and done as well as we can, particularly to overcome some in the House of Representatives who act so quickly. We also make sure that bills work for most States, not just the most populous States on the east or west coast that tend to dominate the House of Representatives.

So the Senate is different. Each and every Senator represents a whole State, and each Senator has equal right to participate in the legislative process on behalf of their State. Sen-

ators who would abdicate that right are doing a disservice to their State and the people they represent.

In the 2008 election, Democrats gained a 60-vote supermajority in the Senate, with a Democrat House and President Obama. As such, the Senate, during those 2 years, tended to act kind of like the House does on process. The usual deliberative process, with bipartisan negotiations and careful refining and tweaking by committees, all went out the window. Major legislation was drafted in the Senate Democrat leader's office, often bypassing Senate committees. Democrats would then dutifully invoke cloture, often with no Senate floor amendment process at all. So, naturally, those of us who have served around the Senate a while were astounded at the time that Democrat Senators would routinely vote to cut off the amendment process before it had begun. Surely, they had amendments important to their States that they would have liked to have offered, but voting for cloture was expected of Democrats. They had 60 votes, after all. They could do almost anything they wanted to. And it turned out just like the rule that comes out of the Rules Committee, affecting how debate happens in the House of Representatives. Now, Democrats did this even if it meant giving up their right to offer amendments, thus abdicating their responsibility to represent their home States.

That situation became the norm, even when the Democrats lost their short-lived 60-vote supermajority.

Most Senators now serving only know the Senate since this break with Senate tradition. Despite some improvements in recent years, the culture of the Senate has not recovered. When people say the Senate is broken, the problem is not the one Senate rule keeping it from becoming just like the House of Representatives. In other words, it is not the 60-vote requirement that has broken the Senate. The problem is that people expect the Senate to act just like the House of Representatives when the Senate is actually intended to be a check on the House. Since the most significant effect of blowing up the 60-vote cloture rule would be denying the right of all Senators to offer amendments on the Senate floor, why do people still talk about some return to the mythical talking filibuster?

That comes out of confusion over the word "filibuster" that I mentioned at the start of my remarks today. The Senate rules state that in most cases during debate on a bill, a Senator may speak for as long as that Senator holds the floor. That is the rule Jimmy Stewart's character took advantage of to delay consideration of a corrupt bill in the classic movie "Mr. Smith Goes to Washington." That meets the definition of a filibuster, but it has nothing to do with the cloture rule. Those who would argue that Senators ought to have to speak nonstop on the Senate

floor until they collapse just to preserve their right to offer an amendment on behalf of their State are either confused or being dishonest.

During the Trump administration, reporters routinely sprinkled the word falsely in the descriptions of things that President Trump said as sort of a running fact-check. Reporters ought to revise the practice of using the word falsely when President Biden and other Democrats make demonstrably false statements. This issue, of course, would be a good place to start—and do it this week.

Any reference to some nonexistent, totally mythical age of the talking filibuster ought to have a disclaimer that no such requirement ever existed for a 60-vote cloture rule. As I mentioned, conventional wisdom about the filibuster has been distorted by confusion and perhaps intentional shell games.

For Senators or reporters to truly understand this issue, I urge you to consult the nonpartisan Congressional Research Service as your main source.

RUSSIA

Madam President, on my last topic, Russian dictator Vladimir Putin once famously called the collapse of the Soviet Union “the greatest geopolitical catastrophe of the century.” That ought to tell you very much. He regrets the collapse of the evil empire that killed, that tortured, and that repressed millions of Russians, and he is in the process of trying to reconstitute that empire by threatening Russia’s neighbors, regardless of the wishes of the people he seeks to rule over.

Putin is on the precipice of greatly escalating his war on Ukraine, upset that Ukrainians, as is their right, increasingly seek to leave the Soviet past behind them and reclaim their European heritage. Ukraine wants to renew historic ties with their western neighbor while building democracy and the rule of law.

Now, we saw over the week, particularly this weekend, Putin sending troops into Kazakhstan at the invitation of that country’s allied dictator to repress an unexpected popular uprising.

All this empire building rests on convincing the Russian people that despite their misery and his misrule, Putin is restoring Russia’s past glory, just like they could have a good economic future based on that past glory.

Now, this work of Putin requires a war on history. Putin recently gave a speech absurdly claiming Ukraine is not a real country, based on ignoring—or, rather, Russia’s co-opting—the much older history of civilization in Ukraine.

He has also rehabilitated the memory of the sadistic mass murderer Joseph Stalin. There is a book about how Putin’s Russia views the Stalinist past. Its title says it all. The title of the book is “It Was a Long Time Ago, and It Never Happened Anyway.” Now they have taken action in recent weeks to make sure that history of Russia’s past, particularly the abuse of its popu-

lation, never is known. And I will cover that in just a minute.

Stalin’s horrific crimes against the Russian people are a big obstacle to Putin’s narrative about the Soviet Union, as part of some sort of a proud Russian imperial tradition. So it comes as no surprise that Putin’s regime has forced the closure of a respected Russian human rights organization dedicated to the truth—the truth—about the victims of Soviet communism.

The independent human rights organization known as Memorial was co-founded by Nobel Peace Prize winner Andrei Sakharov in the waning days of the Soviet Union. Sakharov was a brave dissident who risked everything to call attention to the evils of the Soviet system. As some of my colleagues may recall, I led the effort in this U.S. Senate to name the street in front of the old Soviet Embassy in his Honor—Sakharov Plaza.

When the Soviet Union collapsed, Sakharov embodied the hope of a brighter, more democratic future for all of Russia, built on understanding and reckoning with its past.

The forced closure of Memorial after decades of noble work to bring awareness and to bring healing around the victims of Soviet communism is emblematic of the state of Putin’s Russia, but not the state of the Russian people. Moreover, the next day, he moved even further in this direction of trying to rewrite history or stop the truth from coming out. Putin shut down the separate but related Memorial Human Rights Center, which focused on political prisoners this very day who are being abused under Putin’s regime. This is a major setback for what is left of Russia’s civil society that started to emerge out of the wreckage of communism.

A robust civil society will be essential if Russia is ever to become a free, prosperous modern nation. Today, only President Putin stands in the way of that accomplishment.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. DUCKWORTH). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CORNYN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

BIDEN ADMINISTRATION

Mr. CORNYN. Madam President, in recent years, our Democratic colleagues have taken their Washington-knows-best approach to governing to new and, frankly, frightening levels.

Our colleagues have tried to give the IRS unprecedented authority and manpower to snoop into the finances of virtually every American, not just what you make but how you spend your money.

They have attempted to control what type of childcare families can access,

saying that if it is faith-based, that it is not going to qualify for the extravagant subsidies they have proposed, and are driving up the costs for average, hard-working Texas families.

When it comes to our Democratic colleagues and their Washington-knows-best attitude, they have tried to force every person in this country into a one-size-fits-all healthcare system that, yes, government controls. They have argued that the President of the United States has the power to force all Americans, including those in the private sector, to get a vaccine regardless of whether they have naturally occurring antibodies as a result of having gotten COVID-19.

Now, they are mounting a Federal takeover of America’s State-run elections. That is what we will be talking about a lot this week.

As I said, this is consistent with this attitude that Washington knows best, not parents, not teachers, not business owners, not the workers, not even Governors, mayors, sheriffs, city councils, or local election officials. No. Washington knows best, is their attitude.

To state the obvious, that is not how the United States of America was designed under our Constitution. During the time of the founding, there was a lot of discussion of whether to have a national government or whether to have a Federal Government with the States as sovereign entities, subject only to national laws when the Federal Government preempted them with things like the Voting Rights Act, section 5. In fact, our very form of government was designed with checks and balances and dispersed authority primarily to protect the individual freedom of “we the people.”

Our Founders had the wisdom to devise a system of government comprised of three separate branches—coequal—to ensure that no single person or single institution became too powerful because, again, they viewed it as, the more powerful that single entity or single institution became, the less accountable they would be to the people and the less freedom we would have to conduct our own lives as we see fit.

But, as we know, it is not just distributed laterally among the various branches; it is distributed vertically as well. The Constitution makes clear that the States retain all authority not delegated to the Federal Government. That is the Tenth Amendment to the U.S. Constitution.

Of course, the power given to the States is sometimes set forth explicitly. For example, the Constitution gives the States the authority to set the time, place, and manner of elections. That is in the Constitution itself. Others are reserved under the Tenth Amendment.

Now, make no mistake, the Federal Government has very, very important responsibilities. When it comes to our national defense, when it comes to regulating interstate commerce, international diplomacy, setting taxes,